**South Carolina General Assembly**

125th Session, 2023-2024

**A194, R201, S1188**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Tedder and Hembree

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Introduced in the Senate on March 20, 2024

Introduced in the House on April 9, 2024

Last Amended on April 4, 2024

Currently residing in the Senate

Governor's Action: May 21, 2024, Signed

Summary: Notification Requirements for Expulsion Hearings

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 3/20/2024 Senate Introduced and read first time (Senate Journal‑page 4)

 3/20/2024 Senate Referred to Committee on **Education** (Senate Journal‑page 4)

 3/21/2024 Scrivener's error corrected

 4/3/2024 Senate Polled out of committee **Education** (Senate Journal‑page 135)

 4/3/2024 Senate Committee report: Favorable **Education** (Senate Journal‑page 135)

 4/4/2024 Scrivener's error corrected

 4/4/2024 Senate Amended (Senate Journal‑page 24)

 4/4/2024 Senate Read second time (Senate Journal‑page 24)

 4/4/2024 Senate Roll call Ayes-37 Nays-2 (Senate Journal‑page 24)

 4/4/2024 Senate Unanimous consent for third reading on next legislative day (Senate Journal‑page 24)

 4/5/2024 Senate Read third time and sent to House

 4/9/2024 House Introduced and read first time (House Journal‑page 23)

 4/9/2024 House Referred to Committee on **Education and Public Works** (House Journal‑page 23)

 4/30/2024 House Committee report: Favorable **Education and Public Works** (House Journal‑page 4)

 5/1/2024 Scrivener's error corrected

 5/2/2024 House Debate adjourned until Tues., 5-7-24 (House Journal‑page 47)

 5/7/2024 House Requests for debate-Rep(s). Erickson, Hiott, Carter, B Newton, Ligon, Guffey, Sessions, McCravy, West, Long, Leber, Sandifer (House Journal‑page 115)

 5/8/2024 House Read second time (House Journal‑page 248)

 5/8/2024 House Roll call Yeas-99 Nays-7 (House Journal‑page 248)

 5/9/2024 House Read third time and enrolled (House Journal‑page 87)

 5/15/2024 Ratified R 201

 5/21/2024 Signed By Governor

 5/29/2024 Effective date 05/21/24

 5/29/2024 Act No. 194

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**VERSIONS OF THIS BILL**

[03/20/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/1188_20240320.docx)

[03/21/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/1188_20240321.docx)

[04/03/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/1188_20240403.docx)

[04/04/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/1188_20240404.docx)

[04/04/2024-A](https://www.scstatehouse.gov/sess125_2023-2024/prever/1188_20240404a.docx)

[04/30/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/1188_20240430.docx)

[05/01/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/1188_20240501.docx)

(A194, R201, S1188)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 59‑63‑240, RELATING TO EXPULSION FOR THE REMAINDER OF THE YEAR AND HEARINGS, SO AS TO AMEND REQUIREMENTS TO BE INCLUDED IN THE WRITTEN NOTIFICATION TO PARENTS OR LEGAL GUARDIANS OF THE PUPIL.

Be it enacted by the General Assembly of the State of South Carolina:

Written notification requirements revised

SECTION 1. Section 59‑63‑240 of the S.C. Code is amended to read:

 Section 59‑63‑240. The board may expel for the remainder of the school year a pupil for any of the reasons listed in Section 59‑63‑210. If procedures for expulsion are initiated, the parents or legal guardian of the pupil shall be notified in writing of the time and the place of a hearing either before the board or a person or committee designated by the board. The written notification to the parents or legal guardian of the pupil must include their right to have legal counsel present at the hearing, the right to question all witnesses, and contact information for a legal aid service provider which may determine eligibility for free legal representation. The notification must also include the right to access the investigative file in its entirety, to include all documents and videos, at least three days prior to the hearing, with appropriate exemptions and redactions as required by the Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g. If the hearing is held by any authority other than the board of trustees, the right to appeal the decision to the board is reserved to either party. The hearing shall take place within fifteen days of the written notification at a time and place designated by the board and a decision shall be rendered within ten days of the hearing. The pupil may be suspended from school and all school activities during the time of the expulsion procedures. The action of the board may be appealed to the proper court. The board may permanently expel any incorrigible pupil.

Time effective

SECTION 2. This act takes effect upon approval by the Governor.

Ratified the 15th day of May, 2024.

Approved the 21st day of May, 2024.

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